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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,460	07/29/2003	Makoto Kobayashi	00862.023155	4841
5514	7590	05/04/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			CHERY, MARDOCHEE	
			ART UNIT	PAPER NUMBER
			2188	

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 10/628,460	Applicant(s) KOBAYASHI ET AL.	
	Examiner Mardochee Chery	Art Unit 2188	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/06/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office Action is in response to Applicant's communication filed on February 6, 2006 in response to PTO Office Action mailed on November 1, 2005. The Applicant's remarks and amendments to the claims and/or the specification were considered with the results that follow.
2. In response to the Office Action mailed on November 1, 2005, claims 1-8, 10, and 12 have been amended. Claims 9, 11, and 13 have been canceled. No claims have been added. Consequently, claims 1-8, 10, and 12 are now pending.
3. The objection to claim 12 has been withdrawn due to the amendment filed on February 6, 2006.
4. The rejection of claim 12 under 35 USC 112 second paragraph has been withdrawn due to the amendment filed on February 6, 2006.

### ***Information Disclosure Statement***

5. The information disclosure statement (IDS) submitted on 02/06/06 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-8, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai (6,944,734) in view of PCT/WO 0197002.

As per claim 1, Anzai discloses a storage unit detachable from an information processing apparatus, comprising: storage means for storing user information for user authentication [col.1, lines 22-34]; authentication means for performing authentication processing on the basis of authentication information input from an information processing apparatus in which the storage unit is mounted, and user information stored in said storage means [col.1, lines 35-44]; and output means for outputting an authentication result of said authentication means to the information processing apparatus [col.5, lines 29-36].

However, Anzai does not specifically teach wherein the information processing apparatus performs a control process to eject the storage unit from the information processing apparatus based on the authentication result as required by the claim.

PCT/WO 01/97002 discloses wherein the information processing apparatus performs a control process to eject the storage unit from the information processing apparatus based on the authentication result [Abstract] for recognizing the authenticated user and supply the controller with a disk eject command [Abstract].

Since the technology for implementing a storage unit detachable from an information processing apparatus with the information processing apparatus performing a control process to eject the storage unit from the information processing apparatus based on the authentication result was well known as evidenced by PCT/WO 01/97002, and since an information processing apparatus performing a control process to eject the storage unit from the information processing apparatus based on the authentication result enables recognizing the authenticated user and supplying the controller with a disk eject command, an artisan would have been motivated to implement this feature in the system of Anzai. Thus, it would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to modify the system of Anzai to include an information processing apparatus performing a control process to eject the storage unit from the information processing apparatus based on the authentication result because this would have enabled recognizing the authenticated user and supplying the controller with a disk eject command [Abstract] as taught by PCT/WO 01/97002.

As per claim 2, Anzai discloses the authentication means performs authentication on the basis of authentication information transmitted from the information processing

apparatus together with eject instruction, and the user information stored in said storage means, and said output means notifies the information processing apparatus of eject permission when authentication by said authentication means is successful [col.8, line 49 to col. 9, line 12; col.10, lines 30-45; col.12, line 59 to col.13, line 11].

As per claim 3, Anzai discloses the user information includes a pair of identification information and password information which specify a user, and said authentication means determines that authentication is successful when a pair of identification information and password information contained in the authentication information are contained in the user information [col.1, lines 35-44; col.8, lines 49-57].

As per claim 4, Anzai discloses the user information contains an attribute assigned to a user, and said authentication means determines that authentication is successful when the pair of identification information and password information contained in the authentication information are contained in the user information and a user specified by the pair of identification information and password information is assigned a predetermined attribute [col.8, lines 49-57; col.1, lines 35-44].

As per claim 5, Anzai discloses the predetermined attribute includes mounter information which specifies a user who is first permitted to access the storage unit [col.1, lines 35-44].

As per claim 6, Anzai discloses the predetermined attribute information includes owner information representing an owner of the storage unit [col.1, lines 35-44; col.4, lines 25-30].

As per claim 7, Anzai discloses the unit further comprises holding means for holding designation information which designates an attribute to be used for authentication processing by said authentication means, and said authentication means determines that authentication is successful when the user specified by the pair of identification information and password information contained in the authentication information is assigned the attribute designated by the designation information [col.1, lines 35-50; col.8, lines 49-57].

As per claim 8, the rationale in the rejection of claim 1 is herein incorporated. Anzai further discloses means for providing an interface for a user to input authentication information for executing predetermined processing for ejecting the storage unit from the information processing apparatus [col.1, lines 22-34]; transmission means for transmitting the authentication information input via the interface to the storage unit [col.1, lines 22-29]; reception means for receiving the authentication result output from the output means of the storage unit [col.6, lines 1-9; col.19, lines 9-19].

As per claim 10, the rationale in the rejection of claim 1 is herein incorporated.

Anzai further discloses an access control method for an information processing apparatus and a storage unit detachable from the information processing apparatus, comprising: a registration step of registering user information for user authentication in a storage medium arranged in the storage unit [col.19, lines 21-29]; a providing step of providing an interface for a user to input authentication information for executing predetermined processing for ejecting the storage unit from the information processing apparatus[col.1, lines 22-34].

WO 01/97002 also discloses an authentication step of causing an authentication module in the storage unit to execute authentication processing on the basis of the authentication information input via the interface and the user information registered in the storage medium of the storage unit in the registration step [Abstract]; a transmission step of transmitting an authentication result of the authentication step from the storage unit to the information processing apparatus [Abstract].

As per claim 12, the rationale in the rejection of claim 1 is herein incorporated. Anzai further discloses a providing step of providing an interface for a user to input authentication information for executing the predetermined processing for ejecting the storage unit from the information processing apparatus [col.1, lines 22-34]; a transmission step of transmitting the authentication information input via the interface to the storage unit [col.1, lines 22-29]; a reception step of receiving the authentication result output from the output means of the storage unit [col.6, lines 1-9; col.19, lines 9-



19].

**Conclusion**

8. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 02/06/06 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609.04(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Yamamoto	2002/0032839

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10. When responding to the office action, Applicant is advised to clearly point out the patentable novelty that he or she thinks the claims present in view of the state of the art disclosed by references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. 1.111(c).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mardochee Chery whose telephone number is (571)272-4246. The examiner can normally be reached on 8:30A-5:00P.

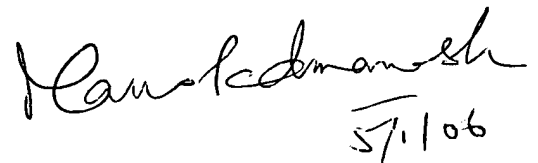
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Manonama Padmanabhan can be reached on (571)272-4210. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 26, 2006



Mardochee Chery  
Examiner  
AU2188

  
5/1/06

MANO PADMANABHAN  
SUPERVISORY PATENT EXAMINER

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